

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2020

CORAM :

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

A.No.8537 of 2019

M/s.Cholamandalam Investment and
Finance Company Limited
'Dare House' No.2, N.S.C Bose Road
Parrys
Chennai-600 001.
Represented by its Authorised Signatory

... Applicant

Vs.

1. Mr.Kamleshpuri Ishwarpuri Goswami
2. Mr.Ishwarpuri Oghadpuri Gosai

... Respondents

PRAYER: Application filed under Order XIV Rule 8 of Original Side Rules r/w Section 9 (ii) (b) of the Arbitration and Conciliation Act 1996 praying to furnish security for a sum of Rs.3,11,687.88/- within a time fixed by this Court failing which to order attachment of the immovable properties described in the Schedule to the Judges Summons pending disposal of arbitration proceedings between the applicant and the respondent and till enforcement of the award that may be ultimately passed in the arbitration proceedings and a copy of the attachment order be transmitted through the District Court, Somnath (Veraval), Gujarat and the attachment order may be hand delivered to the applicant for transmission.

For Applicant : Mr.D.Pradeep Kumar

ORDER

This application has been filed to furnish security for a sum of Rs.3,11,687.88/- within a time fixed by this Court failing which to order attachment of the immovable properties described in the Schedule to the Judges Summons pending disposal of arbitration proceedings between the applicant and the respondent and till enforcement of the award that may be ultimately passed in the arbitration proceedings and a copy of the attachment order be transmitted through the District Court, Somnath (Veraval), Gujarat and the attachment order may be hand delivered to the applicant for transmission

2. The learned counsel for the appellant submitted that the second respondent had died and he wants to take steps to implead the legal heirs and further submitted that award has been passed on 12.10.2019.

3. This Court is of the view that since the award has been passed on 12.10.2019, the applicant shall workout his remedy before the Execution court and enforce the award. Accordingly the application is closed.

23.07.2020

Index: Yes/No

Internet : Yes/No

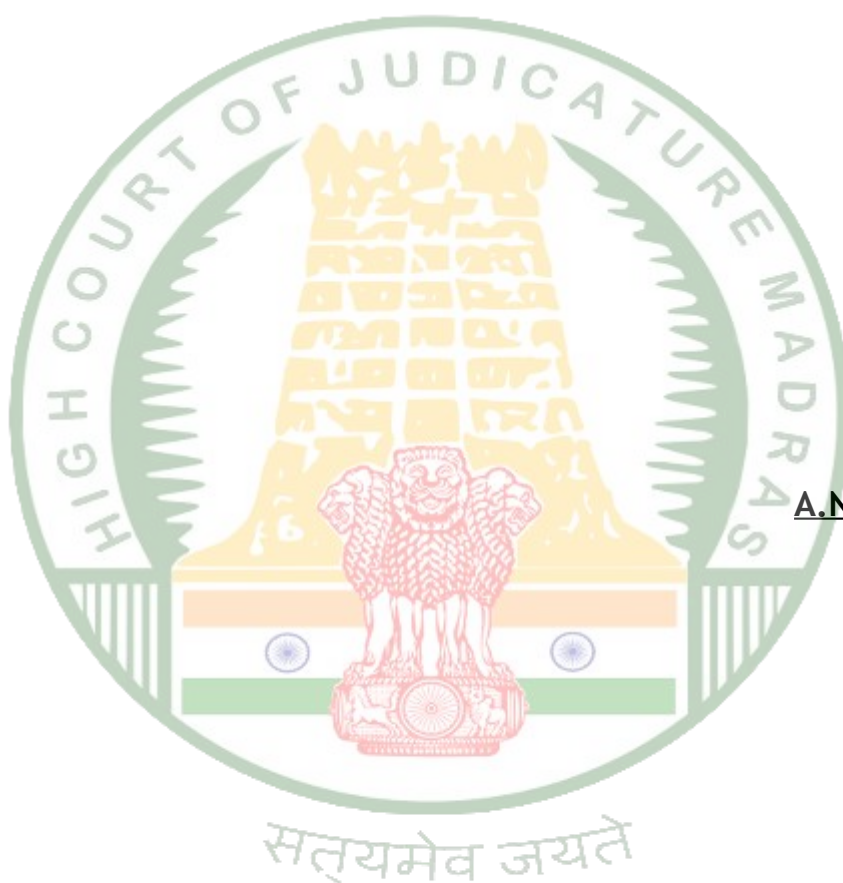
Speaking order/Non speaking order

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N.SATHISH KUMAR, J.

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